

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

THERON KENNETH HOLSTON,
Plaintiff,
v.
BROWN, et al.,
Defendants.

No. 2:20-CV-2466-KJM-DMC-P

ORDER

Plaintiff, who is proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. Pending before the Court is Plaintiff's request, ECF No. 18, for clarification of the Court's September 22, 2021, order. Plaintiff's request is construed as a motion for clarification. Plaintiff seeks an explanation as to why the Court directed the assignment of a District Judge even though he previously consented to Magistrate Judge jurisdiction. Plaintiff's motion is granted insofar as the Court hereby explains that a District Judge was assigned to properly address what at the time was Plaintiff's non-compliance with the Court's August 9, 2021, order to submit service documents. Absent consent from all parties, Plaintiff's consent alone was insufficient to cause assignment of this matter to a Magistrate Judge for all purposes.

///

///

///

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request, ECF No. 18, is construed as a motion for clarification;
- and
2. So construed, Plaintiff's motion is granted insofar as the Court herein explains the reason the Court directed assignment of a District Judge.

Dated: December 8, 2021



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE